

SEP 4 1969

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MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: JOHN D. WARNER, DIRECTOR
SUBJECT: BOARD OF APPEAL REFERRALS

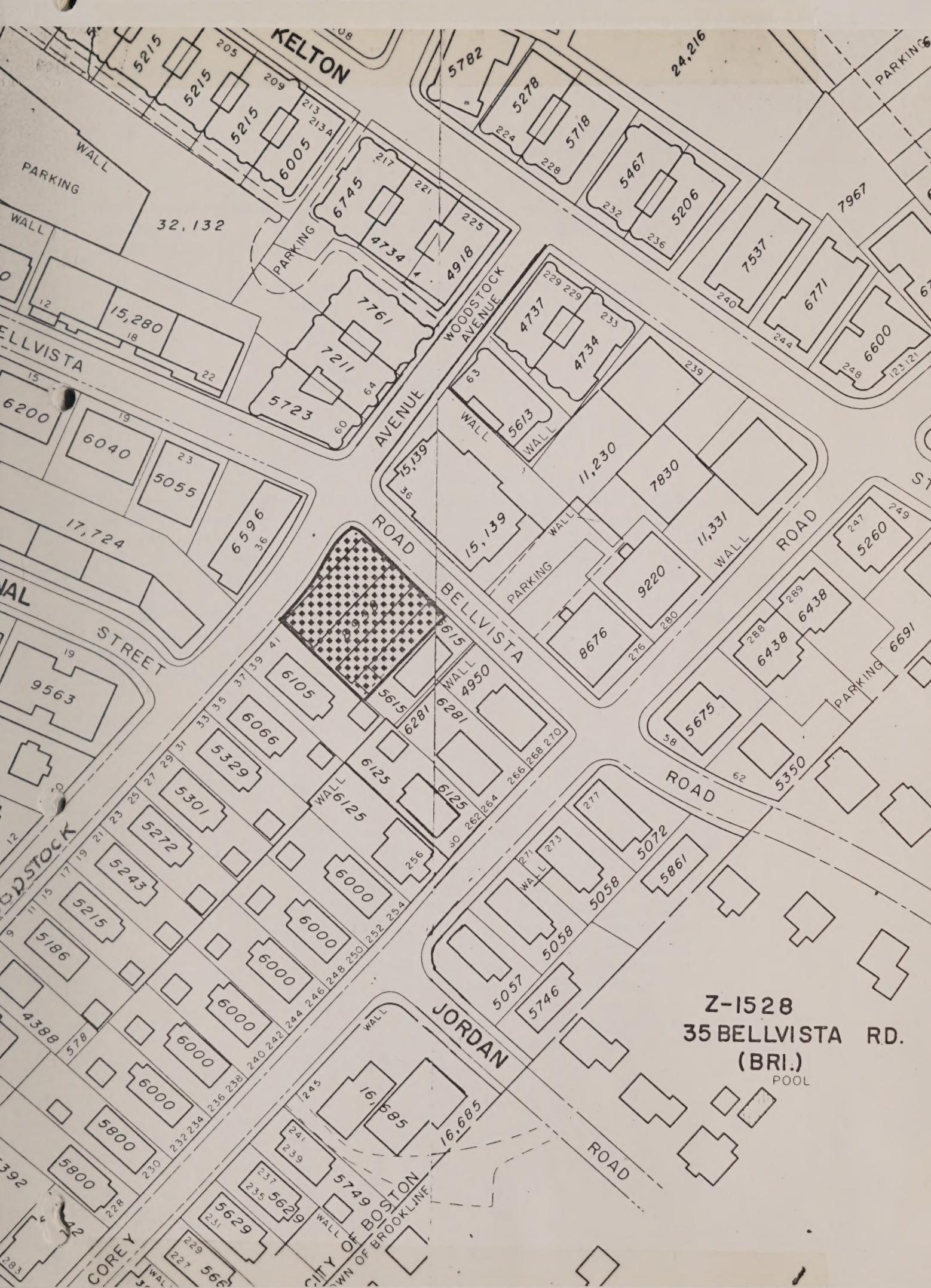
Re: Petition No. Z-1528
H.L.S. Realty Trust
35 Bellvista Road, Brighton

Petitioner seeks a Forbidden Use and three variances for a change of occupancy from 18 to 24 apartments in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Any dwelling converted for more families and not meeting $\frac{1}{2}$ the requirements of lot area, open space and off-street parking is Forbidden in an R-.8 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sf/du	171 sf/du
Sect. 17-1	Usable open space is insufficient	800 sf/du	142 sf/du
Sect. 23-1	Off-street parking is insufficient	22 spaces	0

The property, located on Bellvista Road at the intersection of Woodstock Avenue, contains several one story single car garages. Two years ago, the petitioner received approval from the Board of Appeal to erect a three story 18 unit apartment structure with a proviso that the basement would contain no apartments. Work has not yet started. The petitioner now proposes to increase the occupancy to 24 apartments which he sought in his original petition, and locate them in the basement. The proposed additional basement units would have insufficient light and air. The existing open space violation would also be increased by the proposed density. Recommend denial.

VOTED: That in connection with Petition No. Z-1528, brought by H.L.S Realty Trust, 35 Bellvista Road, Brighton, for a Forbidden Use permit and variances of insufficient lot area for additional dwelling unit, open space and off-street parking for a change of occupancy from 18 to 24 apartments in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed additional basement apartments would be contrary to a former Board of Appeal proviso. The apartments would have insufficient light and air. The existing open space violation would be increased by the proposed density.



Re: Petition No. Z-1529
 Lakeview Realty Trust
 26 Allston Street, Brighton

Petitioner seeks a Forbidden Use Permit and three variances for a change of occupancy from 14 to 16 apartments in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Any dwelling converted for more families and not meeting $\frac{1}{2}$ the requirements of lot area and open space and that after conversion the floor area ratio is greater than prior to conversion, is Forbidden in an R-.8 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sf/du	764 sf/du
Sect. 15-1	Floor area ratio is excessive	.8	.9
Sect. 17-1	Usable open space is insufficient	800 sf/du	459 sf/du

The property, located on Allston Street near the intersection of Brighton Avenue, contains a three story and basement brick structure presently under construction. In 1968, the Board of Appeal granted approval for the construction of a three story 14 unit apartment dwelling with a proviso that only two apartments be located in the basement. The building is now under construction and has been framed, wired and plumbing installed for 16 units. The two additional units are located in the rear of the basement contrary to the Board of Appeal proviso. These units are well below grade and face only the parking lot. The proposal is incongruous and the former decision of the Board of Appeal should be complied with. Recommend denial.

VOTED: That in connection with Petition No. Z-1529, brought by Lakeview Realty Trust, 26 Allston Street, Allston, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit, usable open space and excessive floor area ratio for a change of occupancy from 14 to 16 apartments in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Contrary to a previous Board of Appeal proviso, two additional units have been framed, wired and the plumbing has been installed in the rear of the basement. These units are well below grade and face only the parking lot. The proposal is incongruous and the former decision of the Board of Appeal should be complied with.



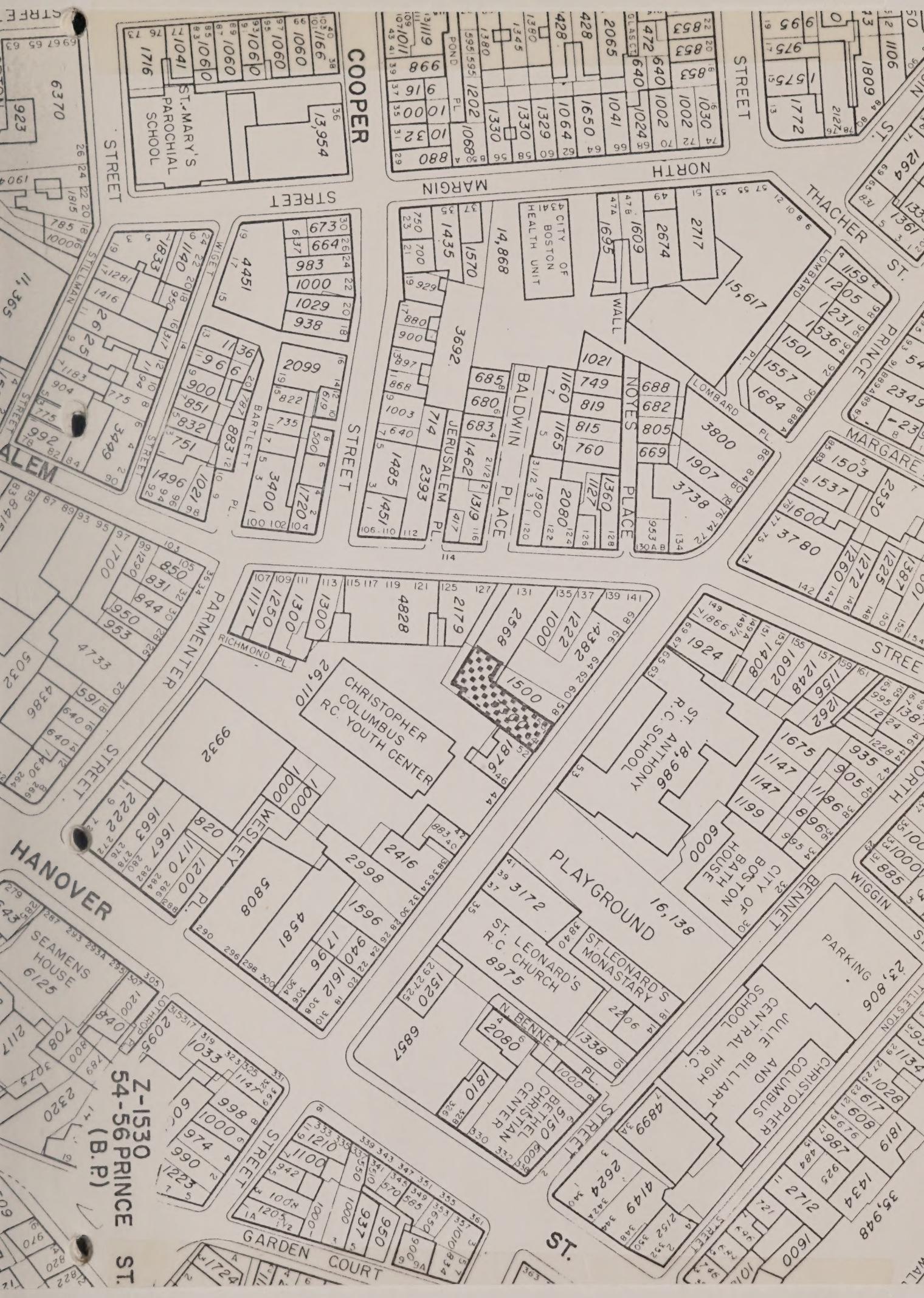
Re: Petition No. Z-1530
Francis A. Malvarosa
54-56 Prince Street, Boston

Petitioner seeks a Forbidden Use Permit and a variance for a change of occupancy from 12 to 14 apartments in an Apartment (H-3) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A dwelling converted for more families and not meeting $\frac{1}{2}$ the requirements of open space is Forbidden in an H-3 district.	
Sect. 17-1	Usable open space is insufficient	100 sf/du 47 sf/du

The property, located on Prince Street near the intersection of Salem Street, contains a five story brick structure presently being rehabilitated under an existing building permit. The proposed apartments would replace a former beauty shop which is a Forbidden Use in an Apartment district. The existing open space violation would be minimized by the proximity of a public playground facility. Recommend approval.

VOTED: That in connection with Petition No. Z-1530, brought by Francis A. Malvarosa, 54-56 Prince Street, Boston, for a Forbidden Use Permit and a variance of insufficient open space for a change of occupancy from 12 to 14 apartments in an Apartment (H-3) district, the Boston Re-development Authority recommends approval. The proposed additional apartments would replace a former beauty shop which is a Forbidden Use in an Apartment district. The existing open space violation would be minimized by the proximity of a public playground facility.



Re: Petition No. Z-1532
Pamela Carteris
266 Webster Street, East Boston

Petitioner seeks a Forbidden Use Permit and two variances for a change of occupancy from a three family dwelling and two stores to six apartments in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Any dwelling converted for more families and not meeting $\frac{1}{2}$ the requirements for lot area for additional dwelling unit and open space is Forbidden in an H-1 district.		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sf/du	0
Sect. 17-1	Usable open space is insufficient	400 sf/du	95 sf/du

The property, located on Webster Street at the intersection of Summer Street, contains a three story frame structure. The proposal would replace non-conforming vacant stores which represent a blighting influence on the area. However, insufficient information regarding parking, open space allotment and size and type of the proposed units makes it impossible to determine the impact that the proposal would create on the neighborhood. The petitioner should submit detailed floor plans to the Authority for design review approval. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1532, brought by Pamela Carteris, 266 Webster Street, East Boston, for a Forbidden Use Permit and variance of insufficient lot area for additional dwelling unit and open space for a change of occupancy from a three family dwelling and two stores to six apartments in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval only if the petitioner submits detailed floor plans to the Authority for design review approval. Insufficient information regarding parking, open space allotment and size and type of the proposed units makes it impossible to determine the impact that the proposal would create on the neighborhood.

Re: Petition No. Z-1533
Pagnani & Stisi
96 Sutherland Road, Brighton

Petitioner seeks a variance to erect a three story and basement 16 unit apartment dwelling in an Apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2 Lot area for additional dwelling unit is insufficient	1000 sf/du	899 sf/du

The property, located on Sutherland Road at the intersection of Kinross Road, contains 18,488 square feet of vacant land. The petitioner was denied 23 apartment units in March by the Board of Appeal. The Authority concurred with this decision. There is no objection to the reduced 16 unit structure provided that the off-street parking facilities be moved from the corner to the interior of the lot and adequate landscape screening be supplied. The existing rock ledge with trees should be preserved. The lot area violation is minimal. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1533, brought by Pagnani & Stisi, 96 Sutherland Rd., Brighton, for a variance of insufficient lot area for additional dwelling unit to erect a three story 16 unit apartment dwelling in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that the off-street parking facilities be moved from the corner to the interior of the lot and that adequate landscape screening be supplied. The existing rock ledge with trees should be preserved. The lot area violation is minimal.

21,399

Ave.

Z-1533
96 SUTHERLAND RD.
(BRI.)



Re: Petition No. Z-1535
 Boston Housing Authority
 95 Davison Street, Hyde Park

Petitioner seeks a Forbidden Use Permit and eight variances to erect a four story 112 unit Housing for the Elderly in a Residential (R-.5) and a Local Business (L-.5)district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is Forbidden in an R-.5 district.		
Sect. 10-1	Parking in front yard is Forbidden in an R-.5 district.		
Sect. 14-1	Lot area is insufficient	2 acres	52,247 ft.
Sect. 14-2	Lot area for additional dwelling unit is insufficient	3000 sf/du	637 sf/du
Sect. 15-1.	Floor area ratio is excessive	.5	.79
Sect. 16-1	Building height is excessive	35 ft.	39 ft.
Sect. 17-1	Open space is insufficient	1000 sf/du	248 sf/du
Sect. 18-1	Front yard is insufficient	25 ft.	20 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	10 ft.

The property, located on Davison Street between West and Arlington Streets, contains 1.2 acres of vacant land. The immediate area is predominantly single family. The site, however, has been vacant for many years and is appropriate for elderly housing. Public transportation and shopping areas are in close proximity. The staff recommends that wherever possible, trees should be allowed to remain especially around the parking lot. Recommend approval.

VOTED: That in connection with Petition No. Z-1535, brought by Boston Housing Authority, 95 Davison Street, Hyde Park, for a Forbidden Use Permit and variances of parking not allowed in front yard, insufficient lot area, lot area for additional dwelling unit, open space, front yard, rear yard, excessive floor area ratio, and building height to erect a four story 112 unit Housing for the Elderly in a Residential (R-.5) and Local Business (L-.5) district, the Boston Redevelopment Authority recommends approval. The site is appropriate for elderly housing. Public transportation and shopping areas are in close proximity. Wherever possible, trees should be allowed to remain especially around the parking lot.



Re: Petition No. Z-1541
 Harry T. & Robert W. Mitchell
 976 River Street, Hyde Park

Petitioner seeks a Forbidden Use Permit and ten variances to erect a two story and basement 24 unit apartment dwelling in a Residential (R-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A 24 unit apartment dwelling is Forbidden in an R-.5 district.		
Sect. 10-1	Parking is not allowed in front yard		
Sect. 14-1	Lot area is insufficient	2 acres	15,671 sf
Sect. 14-3	Lot width is insufficient	200 ft.	50 ft.
Sect. 15-1	Floor area ratio is excessive	0.5	1.35
Sect. 17-1	Usable open space is insufficient	1000 sf/du	153 sf/du
Sect. 18-1	Front yard is insufficient	25 ft.	5 ft.
Sect. 18-3	Traffic visibility across corner is insufficient		
Sect. 18-4	Front yard is insufficient	25 ft.	4 ft.
Sect. 19-1	Side yard is insufficient	25 ft.	4 ft.
Sect. 23-1	Off-street parking is insufficient	24 spaces	15 spaces

The property, located on River Street at the intersection of Riverside Square, contains a two story frame dwelling. The petitioner proposes to erect eight (8) units each in the basement, first and second floors. The immediate neighborhood is predominantly residential two and three family. The proposed floor area ratio would almost triple the allowable density. Minimal open space would be supplied for recreational purposes. The proposed development would be incompatible with adjacent residential properties and would generate additional traffic congestion on this heavily traversed artery. Recommend denial.

VOTED: That in connection with Petition No. Z-1541, brought by Harry T. & Robert W. Mitchell, 976 River Street, Hyde Park, for a Forbidden Use Permit and variances of parking not allowed in front yard, insufficient lot area, lot width, open space, front yard, corner traffic visibility, side yard, off-street parking and excessive floor area ratio to erect a two story and basement 24 unit apartment dwelling in a Residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposed floor area ratio would almost triple the allowable density. Minimal open space would be supplied for recreational purposes. The proposed development would be incompatible with adjacent residential properties and would generate additional traffic congestion on this heavily traversed artery.



Re: Petition No. Z-1543
Brighton Medical Realty Trust
418 Washington Street, Brighton

Petitioner seeks an extension of a non-conforming use and three variances to erect a one story addition to the existing medical center in a Residential (R-.5) and a Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 9-1	Extension of a non-conforming use requires a Board of Appeal hearing.		
Sect. 14-2	Lot area for additional unit is insufficient	3000. sf/du	922 sf/du
Sect. 15-1	Floor area ratio is excessive	0.5	1.15
Sect. 16-1	Height of building is excessive	$2\frac{1}{2}$ stories 35 ft.	3 stories 38 ft.

The property, located on Washington Street near the intersection of Eastburn Street, contains a two story brick structure. The petitioner proposes to erect the addition over the existing two story medical center. The immediate area is commercially oriented. The proposal is reasonable and would have no adverse effect on adjacent properties. Recommend approval.

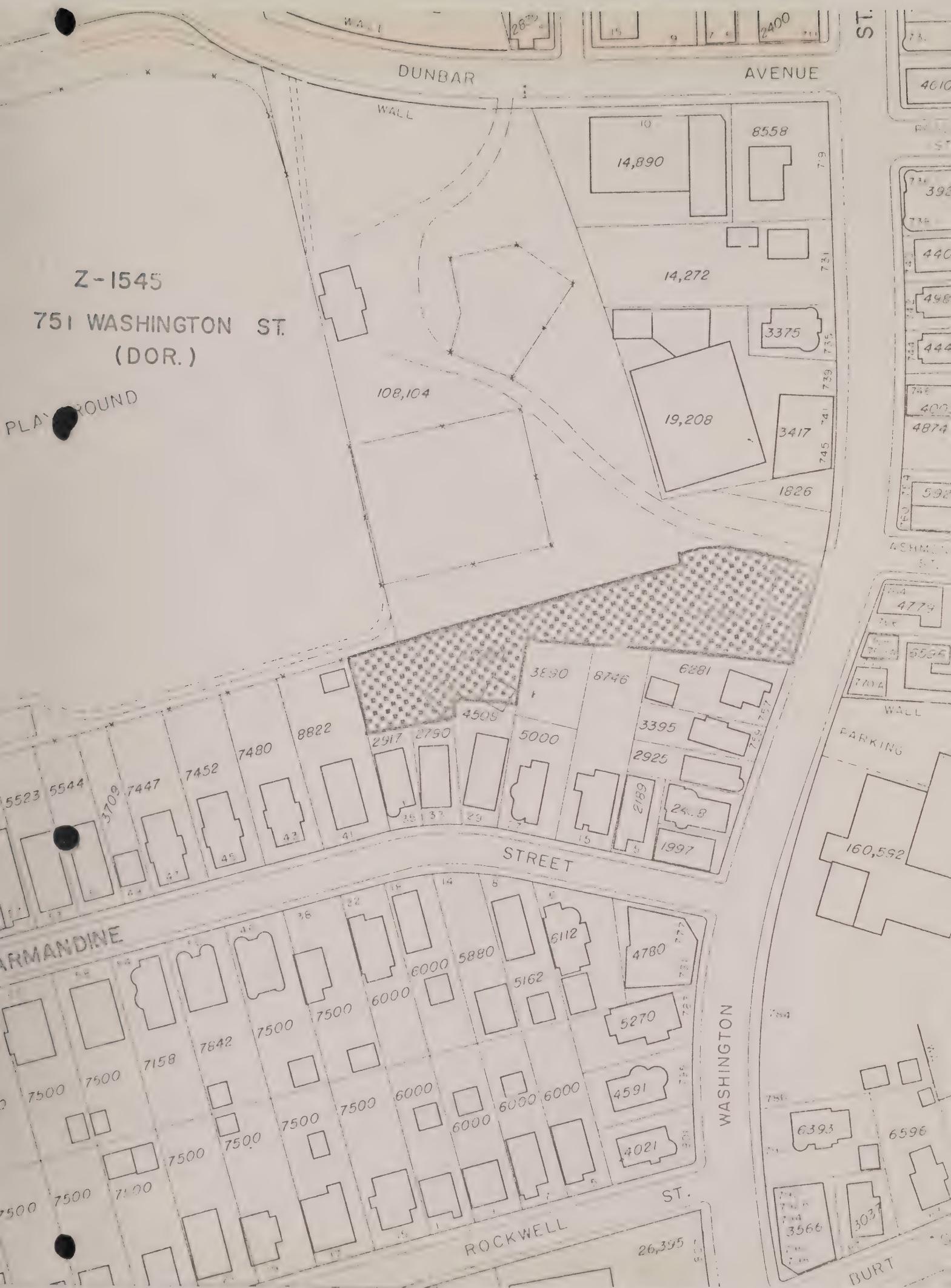
VOTED: That in connection with Petition No. Z-1543, brought by Brighton Medical Realty Trust, 418 Washington Street, Brighton, for an extension of a non-conforming use and variances of insufficient lot area for additional unit, excessive floor area and building height to erect a one story addition to a medical center building in a Residential (R-.5) and a Local Business (L-.5) district, the Boston Redevelopment Authority recommends approval. The immediate area is commercially oriented. The proposal is reasonable and would have no adverse effect on adjacent properties.



Z-1545

751 WASHINGTON ST.
(DOR.)

PLAYGROUND



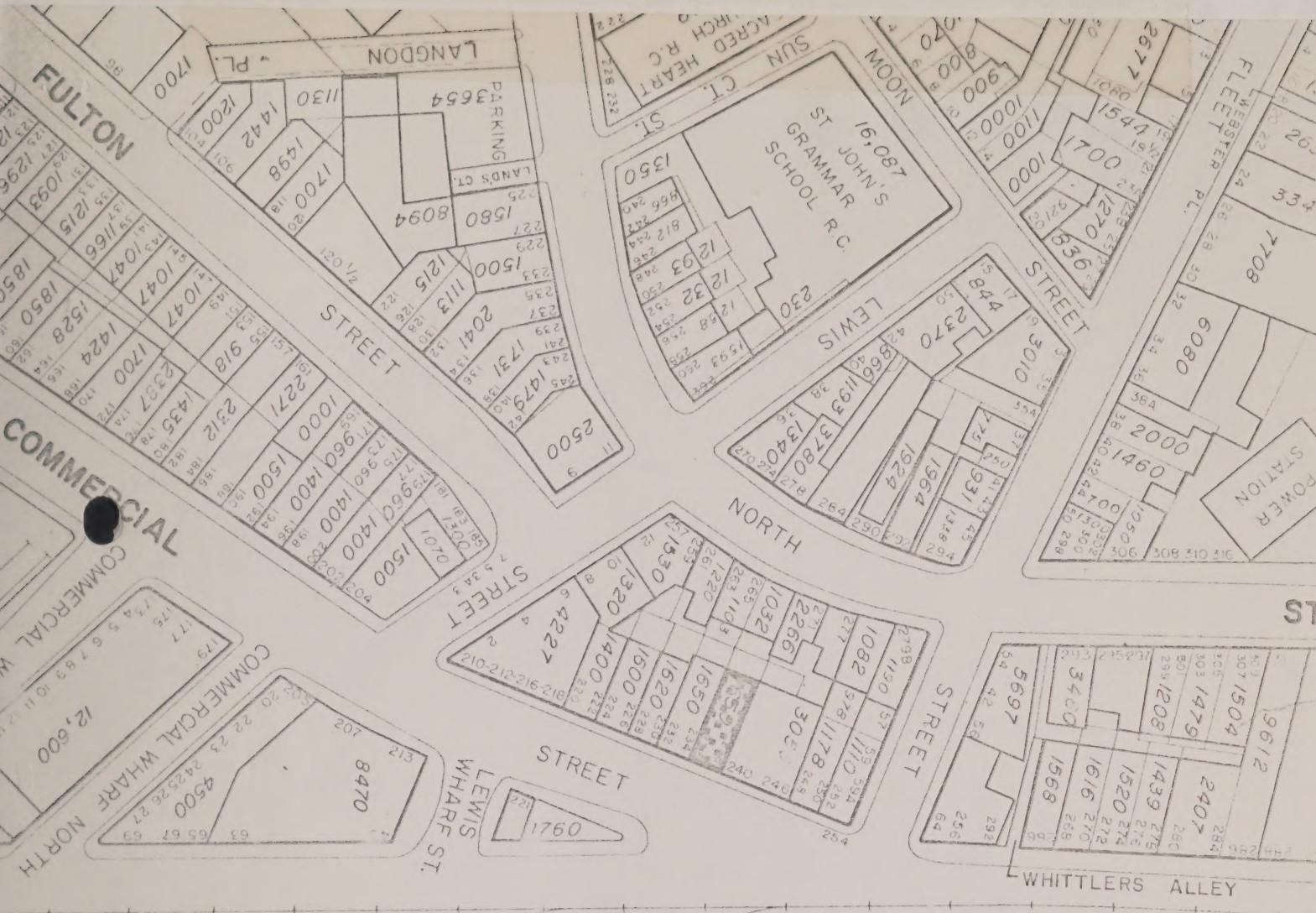
Re: Petition No. Z-1540
Domenic A. Capossela
236 Commercial Street, Boston

Petitioner seeks two variances to erect a one story addition to a restaurant in a Light Manufacturing (M-2) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 15-1 Floor area ratio is excessive	2.0	3.2
Sect. 20-1 Rear yard is insufficient	12 ft.	0

The property, located on Commercial Street between Fleet and Lewis Street just outside the Waterfront Project, contains a four story brick structure. The proposed one story extension would be utilized as a service bar for the existing street level restaurant. The floor area ratio violation is existing and would be minimally increased. Recommend approval.

VOTED: That in connection with Petition No. Z-1540, brought by Domenic A. Capossela, 236 Commercial Street, Boston, for variances of excessive floor area ratio and insufficient rear yard to erect a one story addition to a restaurant in a Light Manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The increase in the existing floor area ratio violation is minimal and would not have a harmful effect on the area.



Z-1540
236 COMMERCIAL ST.
(B.P.)



Re: Petition No. Z-1539
Travelers Insurance Company
125 High Street, Boston

Petitioner seeks two variances to erect a 16 story addition to the existing office and commercial structure in a General Business (B-10) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 21-1 Setback of parapet is insufficient	18 ft.	1 ft.
Sect. 24-1 Off-street loading bays are insufficient	3	0

The property, bounded by High, Oliver, Pearl and Purchase Streets, contains a 16 story office structure. The proposed addition would be constructed at the north corner of the existing structure and will run along the High Street lot toward Oliver Street. The basement would be occupied by a 32-car business garage to replace a parking area lot eliminated by the proposed addition. There is no objection to the proposed addition. However, the staff recommends that the petitioner submit detailed plans to the Authority for design review approval. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1539, brought by Travelers Insurance Company, 125 High Street, Boston, for variances of insufficient parapet setback and off-street loading bays to erect a 16 story addition to the existing office and commercial structure in a General Business (B-4) district, the Boston Redevelopment Authority would have no objection to the proposed addition provided that the petitioner submit detailed plans to the Authority for design review approval.

